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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,279	08/30/2001	Glenn D. Butler	13039:14 (CRAN01-00014)	8798
23990	7590	12/10/2004	EXAMINER	
DOCKET CLERK P.O. DRAWER 800889 DALLAS, TX 75380			HAMZA, FARUK	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,279

Applicant(s)

BUTLER, GLENN D.

Examiner

Faruk Hamza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/21/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. This application has been examined
2. Claims 1-9 are pending

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,3,4,5,6,8 and 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Brock Kolls. (PCT pub. No. W096/07134), hereinafter referred to as Kolls.

5. Kolls has disclosed:

- <Claim 1>

A method for collecting information associated with a vending machine, the method comprising:

detecting a vending event associated with the vending machine; (Kolls, Fig. 9,262; page 9, lines 6-9; page 10, lines 19-21)
storing a dataset associated with the vending event, the dataset being stored in standard format; (Kolls, page 15, lines 5-9)
retrieving the dataset; (Kolls, page 9, lines 34-36)
parsing at least one data field from the dataset; and

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transmitting the at least one data field. (Kolls, Page 28 lines 3-10).

- <Claim 3>

The method of Claim 1 wherein the at least one data field is transmitted to a handheld circuitry. (Kolls, Page 12, lines 7-9)

- <Claim 4>

The method of Claim 1 wherein the at least one data field is transmitted by a wireless means. (Kolls, Page 12, lines 2-4).

- <Claim 5>

The method of Claim 1 wherein the at least one data field is transmitted at least in part over an interconnected network. (Kolls, Page 12, lines 2-4).

- <Claim 6>

The method of Claim 1 wherein the at least one data field is transmitted to a central monitoring facility. (Kolls, page 13, lines 26-33)

- <Claim 8>

The method of Claim 1 wherein the at least one data field is transmitted in a data packet, the data packet comprising the data field and a unique identification number associated with the vending machine. (Kolls, Page 9, lines 29-30; Page 21, lines 32-34; Page 22, lines 1-3).

- <Claim 9>

The method of Claim 1 wherein the at least one data field is transmitted in response to a polling signal. (Kolls, FIG. 9c; 262, page 12/16)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls as applied above, in view of Howell et al (U.S. Patent Number 6,462,644), hereinafter referred to as Howell.

8. With respect to claim 2, Kolls discloses a system and method for networking and controlling vending machines where it teaches storing and processing of data in standard format.

9. However, Kolls doesn't explicitly indicate DEX format for storing data. However, Howell, in an analogous art, teaches using DEX format. (Howell, Column 6, lines 51-57).

10. With respect to claim 2, Howell teaches, the method of Claim 1 wherein the standard format is the DEX format. (Howell, Column 6, lines 51-57).

11. Since the inventions disclosed in Kolls and Howell encompass the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Kolls by adding DEX format that would make the system well suited to the wireless data network technology. The incorporation of the DEX format in Kolls would make the system versatile.

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12. With respect to claim 7, Kolls teaches the communications means of telephone line, dedicated telephone line, cellular communication line or a local area network. (Kolls, Page 12, lines 2-4)

13. However, Kolls doesn't specify two-way paging system, mobile phone system, packet-radio system, fiber optic network and Bluetooth™ wireless communication standard.

However, Howell, in an analogous art, teaches wireless data technology (Howell, Column 6, lines 25-43).

14. With respect to claim 7, Howell teaches, the method of Claim 1 wherein the at least one data field is transmitted by a communications means, the communications means selected from a group consisting of a telephone line, an Ethernet, a wireless Ethernet, a two-way paging system, a mobile phone system, a cellular phone system, a packet-radio system, a fiber optic network and the Bluetooth™ wireless communication standard. (Howell, Column 6, lines 25-43)

15. Since the inventions disclosed in Kolls and Howell encompass the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Kolls by adding two-way paging system, mobile phone system, packet-radio system, fiber optic network and Bluetooth™ wireless communication standard that would make the system well suited to the wireless data network technology. The incorporation of the two-way paging system, mobile phone system, packet-radio system, fiber

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optic network and Bluetooth™ wireless communication in Kolls would make the system versatile.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Varga et al. (U.S. Patent Number 6,181,981) disclosed unique identifier (column 4, lines 42-44) for vending machine.
- Levasseur et al. (U.S. Patent Number 5,955,718) disclosed polling signal in data transmitting. (Column 7, lines 63-66).
- Stapp (U.S. Patent Number 5,930,771) disclosed inventory control and remote monitoring apparatus and method for coin-operable vending machine.
- Brodbeck (U.S. Patent Number 6,272,395) disclosed a system and method for reporting vending status.
- Preston et al. (U.S. Patent Number 6,754,558) disclosed an efficient system for providing vending information from vending machines to a central processing system.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER